

HOUSE No. 4954

House bill No. 4930, as changed by the committee on Bills in the Third Reading, and as amended and passed to be engrossed, by the House. June 29, 2022.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act expanding protections for reproductive rights.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to expand protections for reproductive rights, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 9A of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the definition of “Application assistant”
3 the following 3 definitions:-

4 “Gender-affirming health care services”, all supplies, care and services of a medical,
5 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
6 rehabilitative or supportive nature relating to the treatment of gender dysphoria.

7 “Legally-protected health care activity”, (i) the exercise and enjoyment, or attempted
8 exercise and enjoyment, by any person of rights to reproductive health care services or gender-
9 affirming health care services secured by the constitution or laws of the commonwealth; or (ii)
10 any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in
11 the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive

12 health care services or gender-affirming health care services secured by the constitution or laws
13 of the commonwealth, or to provide insurance coverage for such services; provided, however,
14 that the provision of such a health care service by a person duly licensed under the laws of the
15 commonwealth and physically present in the commonwealth, and the provision of insurance
16 coverage for such services, shall be legally protected if the service is permitted under the laws of
17 the commonwealth, regardless of the patient's location.

18 "Reproductive health care services", all supplies, care and services of a medical,
19 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
20 rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction,
21 miscarriage management or the termination of a pregnancy.

22 SECTION 2. Section 2 of said chapter 9A of the General Laws, as so appearing, is
23 hereby amended by striking out subsection (1) and inserting in place thereof the following
24 subsection:-

25 (1)(a) Upon recommendation of an application assistant, an adult person, a parent or
26 guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person
27 may apply to the secretary to have an address designated by the secretary serve as the person's
28 address or the address of the minor or incapacitated person; or

29 (b) Individuals engaged in the provision, facilitation or promotion of legally-protected
30 health care activity may apply to the secretary to have an address designated by the secretary
31 serve as the health care professional's address; provided, that in such cases, no recommendation
32 of an application assistant shall be required.

33 SECTION 3. Said chapter 9A of the General Laws is hereby further amended by striking
34 out section 7 and inserting in place thereof the following section:-

35 Section 7. The secretary shall promulgate regulations to implement this chapter and in
36 doing so shall consult with the secretary of health and human services and Jane Doe Inc.: The
37 Massachusetts Coalition Against Sexual Assault and Domestic Violence, GLBTQ Legal
38 Advocates & Defenders, Inc., Planned Parenthood League of Massachusetts, Inc. and
39 Reproductive Equity Now, Inc.

40 SECTION 4. Chapter 12 of the General Laws is hereby amended by inserting after
41 section 11I the following 2 sections:-

42 Section 11I½. (a) As used in this section, the following words shall, unless the context
43 clearly requires otherwise, have the following meanings:

44 “Gender-affirming health care services”, all supplies, care and services of a medical,
45 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
46 rehabilitative or supportive nature relating to the treatment of gender dysphoria.

47 “Abusive litigation”, litigation or other action to deter, prevent, sanction or punish any
48 person engaging in legally-protected health care activity that is: (i) filed or prosecuted in any
49 state other than the commonwealth where liability, in whole or part, directly or indirectly, is
50 based on legally-protected health care activity that occurred in the commonwealth, including any
51 action in which liability is based on any theory of vicarious, joint or several liability derived
52 therefrom; or (ii) an attempt to enforce any order or judgment issued in connection with any such
53 action by any party to the action or any person acting on behalf of a party to the action; provided,
54 however, that a lawsuit shall be considered to be based on conduct that occurred in the
55 commonwealth if any part of any act or omission involved in the course of conduct that forms
56 the basis for liability in the lawsuit occurs or is initiated in the commonwealth, whether or not
57 such act or omission is alleged or included in any pleading or other filing in the lawsuit.

58 “Legally-protected health care activity”, (i) the exercise and enjoyment, or attempted
59 exercise and enjoyment, by any person of rights to reproductive health care services or gender-
60 affirming health care services secured by the constitution or laws of the commonwealth; or (ii)
61 any act or omission undertaken to aid or encourage, or attempt to aid or encourage, any person in
62 the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive
63 health care services or gender-affirming health care services secured by the constitution or laws
64 of the commonwealth, or to provide insurance coverage for such services; provided, however,
65 that the provision of such a health care service by a person duly licensed under the laws of the
66 commonwealth and physically present in the commonwealth, and the provision of insurance
67 coverage for such services, shall be legally protected if the service is permitted under the laws of
68 the commonwealth, regardless of the patient’s location.

69 “Reproductive health care services”, all supplies, care and services of a medical,
70 behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative,
71 rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction,
72 miscarriage management or the termination of a pregnancy.

73 (b) Access to reproductive health care services and gender-affirming health care services
74 is recognized and declared to be a right secured by the constitution and laws of the
75 commonwealth. Interference with this right, whether or not under the color of law, is against the
76 public policy of the commonwealth.

77 (c) Any public act or record of a foreign jurisdiction that prohibits, criminalizes,
78 sanctions, authorizes a person to bring a civil action against, or otherwise interferes with a
79 person, entity or carrier that seeks, receives, causes, aids in access to, aids or abets or provides,
80 or attempts or intends to seek, receive, cause, aid in access to, aid or abet, or provide

81 reproductive health care services or gender-affirming health care services, shall be an
82 interference with the exercise and enjoyment of the rights secured by the constitution and laws of
83 the commonwealth and shall be a violation of the public policy of the commonwealth.

84 (d) If a person, including any plaintiff, prosecutor, attorney or law firm, whether or not
85 acting under color of law, interferes or attempts to interfere through abusive litigation with
86 legally-protected health care activity, any aggrieved person, entity or carrier, including any
87 defendant in such abusive litigation, may institute and prosecute a civil action for injunctive,
88 monetary or other appropriate relief within 3 years after notice of the cause of action accrues.

89 If the court finds for the petitioner in an action authorized by this section, recovery shall
90 be in the amount of actual damages, which shall include damages for the amount of any
91 judgment issued in connection with any abusive litigation, and any and all other expenses, costs
92 or reasonable attorney's fees incurred in connection with the abusive litigation.

93 (e) A court may exercise jurisdiction over a person in an action authorized by this section
94 if: (i) personal jurisdiction is found under section 3 of chapter 223A; (ii) the person has
95 commenced any action in any court in the commonwealth and, during the pendency of that
96 action or any appeal therefrom, a summons and complaint is served on the person or the attorney
97 appearing on the person's behalf in that action or as otherwise permitted by law; or (iii) the
98 exercise of jurisdiction is permitted under the Constitution of the United States.

99 (f) This section shall not apply to a lawsuit or judgment entered in another state that is
100 based on conduct for which a cause of action exists under the laws of the commonwealth if the
101 course of conduct that forms the basis for liability had occurred entirely in the commonwealth,
102 including any contract, tort, common law or statutory claims.

103 Section 11I³/₄. Notwithstanding any general or special law or common law conflict of law
104 rule to the contrary, the laws of the commonwealth shall govern in any case or controversy heard
105 in the commonwealth related to reproductive health care services or gender-affirming health care
106 services, as those terms are defined in section 11I¹/₂, except as may be required by federal law.

107 SECTION 5. Section 17C of chapter 32A of the General Laws, as appearing in the 2020
108 Official Edition, is hereby amended by inserting after the word “for”, in line 3, the following
109 words:- abortion as defined in section 12K of chapter 112, abortion-related care,.

110 SECTION 6. Said section 17C of said chapter 32A, as so appearing, is hereby further
111 amended by inserting after the second paragraph the following 2 paragraphs:-

112 Coverage provided under this section for abortion or abortion-related care shall not be
113 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

114 Coverage for abortion or abortion-related care offered under this section shall not impose
115 unreasonable restrictions or delays in the coverage.

116 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
117 spouse and covered dependents.

118 SECTION 7. Chapter 94C of the General Laws is hereby amended by striking out section
119 19A, as appearing in the 2020 Official Edition, and inserting in place thereof the following
120 section:-

121 Section 19A. (a) As used in this section, “emergency contraception” shall, unless the
122 context clearly requires otherwise, mean any drug approved by the federal Food and Drug
123 Administration as a contraceptive method for use after sexual intercourse, whether provided
124 over-the-counter or by prescription.

125 (b) The department shall ensure that a statewide standing order is issued to authorize the
126 dispensing of emergency contraception by a licensed pharmacist. The statewide standing order
127 shall include, but not be limited to, written, standardized procedures or protocols for the
128 dispensing of emergency contraception by a licensed pharmacist. Notwithstanding any general or
129 special law to the contrary, the commissioner, or a physician designated by the commissioner
130 who is registered to distribute or dispense a controlled substance in the course of professional
131 practice pursuant to section 7, shall issue a statewide standing order that may be used by a
132 licensed pharmacist to dispense emergency contraception under this section.

133 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may
134 dispense emergency contraception in accordance with the statewide standing order issued under
135 subsection (b). Except for an act of gross negligence or willful misconduct, a pharmacist who,
136 acting in good faith, dispenses emergency contraception shall not be subject to any criminal or
137 civil liability or any professional disciplinary action by the board of registration in pharmacy
138 related to the use or administration of emergency contraception.

139 (d) Before dispensing emergency contraception authorized under this section, a
140 pharmacist may complete a training program approved by the commissioner on emergency
141 contraception; provided, however, that the training shall include, but not be limited to, proper
142 documentation, quality assurance and referral to additional services, including appropriate
143 recommendation that the patient follow-up with a medical practitioner.

144 (e) A pharmacist dispensing emergency contraception under this section shall annually
145 provide to the department the number of times such emergency contraception is dispensed.
146 Reports made pursuant to this section shall not identify any individual patient, shall be

147 confidential and shall not be public records as defined by clause Twenty-sixth of section 7 of
148 chapter 4 or section 10 of chapter 66.

149 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a
150 physician who issues the statewide standing order under subsection (b) and any medical
151 practitioner who, acting in good faith, directly or through the standing order, prescribes or
152 dispenses emergency contraception shall not be subject to any criminal or civil liability or any
153 professional disciplinary action.

154 SECTION 8. Chapter 112 of the General Laws is hereby amended by inserting after
155 section 5F the following section:-

156 Section 5F½. Notwithstanding any general or special law to the contrary, no person shall
157 be subject to discipline by the board, including the revocation, suspension or cancellation of the
158 certificate of registration or reprimand, censure or monetary fine, for providing or assisting in the
159 provision of reproductive health care services or gender-affirming health care services, as those
160 terms are defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction
161 arising from such health care services if the services as provided would have been lawful and
162 consistent with good medical practice if they occurred entirely in the commonwealth.

163 The board shall not make available for public dissemination on a physician's individual
164 profile record of any criminal conviction or charge for a felony or serious misdemeanor, final
165 disciplinary action by a licensing board in another state or a medical malpractice court judgment,
166 arbitration award or settlement that resulted from providing or assisting in the provision of
167 reproductive health care services or gender-affirming health care services or for any judgment,
168 discipline or other sanction arising from such health care services if the services as provided
169 would have been lawful and consistent with good medical practice if they occurred entirely in

170 the commonwealth. The board shall not take adverse action on an application for registration of a
171 qualified physician based on a criminal or civil action, disciplinary action by a licensing board of
172 another state or a medical malpractice claim in another state arising from the provision of
173 reproductive health care services or gender-affirming health care services that, as provided,
174 would have been lawful and consistent with good medical practice if they occurred entirely in
175 the commonwealth.

176 Nothing in this section shall be construed to regulate the practice of medicine in any other
177 state.

178 SECTION 9. Section 9H of said chapter 112, as appearing in the 2020 Official Edition, is
179 hereby amended by inserting after the word “sections”, in line 4, the following words:- ;
180 provided, however, that notwithstanding any general or special law to the contrary, no person
181 shall be subject to discipline by the board, including the revocation, suspension or cancellation of
182 the certificate of registration or reprimand, censure or monetary fine, for providing or assisting in
183 the provision of reproductive health care services or gender-affirming health care services, as
184 those terms are defined in section 11I½ of chapter 12, or for any judgment, discipline or other
185 sanction arising from such health care services if the services as provided would have been
186 lawful and consistent with the standards of conduct for physician assistants if they occurred
187 entirely in the commonwealth; provided further, that the board shall not take adverse action on
188 an application for registration of a qualified physician assistant based on a criminal or civil
189 action or disciplinary action by a licensing board of another state that arises from such health
190 care services that, as provided, would have been lawful and consistent with the standards of
191 conduct for physician assistants if they occurred entirely in the commonwealth.

192 Nothing in this section shall be construed to regulate the practice of physician assistants
193 in any other state.

194 SECTION 9A. Section 12K of chapter 112 of the General Laws, as so appearing, is
195 hereby amended by adding the following definition:-

196 “Severe”, as determined by an individual’s physician consistent with the principles of
197 medical ethics and the regulations promulgated by the department of public health as required by
198 section 12N.

199 SECTION 10. Section 12N of said chapter 112, as so appearing, is hereby amended by
200 inserting after the word “a”, in line 7, the following words:- severe or.

201 SECTION 11. Said section 12N of said chapter 112, as so appearing, is hereby further
202 amended by adding the following sentence:- The department of public health shall promulgate
203 regulations to implement this section; provided, that the department shall consult with a member
204 of the disability community selected by the department and the Arc of Massachusetts; the
205 Massachusetts Medical Society or a designee, Planned Parenthood League of Massachusetts or a
206 designee; the Massachusetts Health and Hospital Association, Inc. or a designee; and an
207 impacted individual previously forced to travel out of state for an abortion after 24 weeks.

208 SECTION 12. Section 32 of said chapter 112, as so appearing, is hereby amended by
209 striking out, in lines 6 and 7, the words “one hundred and thirty-eight” and inserting in place
210 thereof the following words:- 138; provided, however, that notwithstanding any general or
211 special law to the contrary, no person, pharmacy or pharmacy department shall be subject to
212 discipline by the board, including the revocation, suspension or cancellation of the certificate of
213 registration or reprimand, censure or monetary fine, for providing or assisting, including
214 dispensing of medication, in the provision of reproductive health care services or gender-

215 affirming health care services, as those terms are defined in section 11I½ of chapter 12, or for
216 any judgment, discipline or other sanction arising from such health care services if the services
217 as provided would have been lawful and consistent with the code of professional conduct for
218 pharmacists if they occurred entirely in the commonwealth; provided further, that the board shall
219 not take adverse action on an application for registration of a qualified pharmacist based on a
220 criminal or civil action or disciplinary action by a licensing board of another state that arises
221 from such health care services, including the dispensing of medication, that, as provided, would
222 have been lawful and consistent with the code of professional conduct for pharmacists if they
223 occurred entirely in the commonwealth.

224 Nothing in this section shall be construed to regulate the practice of pharmacists in any
225 other state.

226 SECTION 13. Section 77 of said chapter 112, as so appearing, is hereby amended by
227 adding the following paragraph:-

228 Notwithstanding any general or special law to the contrary, no person shall be subject to
229 discipline by the board, including the revocation, suspension or cancellation of the certificate of
230 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
231 reproductive health care services or gender-affirming health care services, as those terms are
232 defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction arising
233 from such health care services if the services as provided would have been lawful and consistent
234 with the standard of conduct for nurses if they occurred entirely in the commonwealth. The board
235 shall not take adverse action on an application for registration of a qualified nurse based on a
236 criminal or civil action or disciplinary action by a licensing board of another state that arises

237 from such health care services that, as provided, would have been lawful and consistent with the
238 standard of conduct for nurses if they occurred entirely in the commonwealth.

239 Nothing in this section shall be construed to regulate the practice of nursing in any other
240 state.

241 SECTION 14. Section 128 of said chapter 112, as so appearing, is hereby amended by
242 inserting after the word “inclusive”, in line 4, the following words:- ; provided, however, that
243 notwithstanding any general or special law to the contrary, no person shall be subject to
244 discipline by the board, including the revocation, suspension or cancellation of the certificate of
245 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
246 reproductive health care services or gender-affirming health care services, as those terms are
247 defined in section 111½ of chapter 12, or for any judgment, discipline or other sanction arising
248 from such health care services if the services as provided would have been lawful and consistent
249 with the standard of conduct adopted by the board by regulation if they occurred entirely in the
250 commonwealth; provided further, that the board shall not take adverse action on an application
251 for registration of a qualified psychologist based on a criminal or civil action or disciplinary
252 action by a licensing board of another state that arises from such health care services that, as
253 provided, would have been lawful and consistent with the standard of conduct adopted by the
254 board by regulation if they occurred entirely in the commonwealth.

255 Nothing in this section shall be construed to regulate the practice of psychology in any
256 other state.

257 SECTION 15. Section 137 of said chapter 112, as so appearing, is hereby amended by
258 inserting after the word “practice”, in line 8, the following words:- ; provided, however, that
259 notwithstanding any general or special law to the contrary, no person shall be subject to

260 discipline by the board, including the revocation, suspension or cancellation of the certificate of
261 registration or reprimand, censure or monetary fine, for providing or assisting in the provision of
262 reproductive health care services or gender-affirming health care services, as those terms are
263 defined in section 11I½ of chapter 12, or for any judgment, discipline or other sanction arising
264 from such health care services if the services as provided would have been lawful and consistent
265 with the standards of professional practice and conduct for social workers if they occurred
266 entirely in the commonwealth; provided further, that the board shall not take adverse action on
267 an application for registration of a qualified social worker based on a criminal or civil action or
268 disciplinary action by a licensing board of another state that arises from such health care services
269 that, as provided, would have been lawful and consistent with the standards of professional
270 practice and conduct for social workers if they occurred entirely in the commonwealth.

271 Nothing in this section shall be construed to regulate the practice of social work in any
272 other state.

273 SECTION 16. Section 10A of chapter 118E of the General Laws, as so appearing, is
274 hereby amended by inserting after the words “coverage for”, in line 1, the following words:-
275 abortion, as defined in section 12K of chapter 112, abortion-related care,.

276 SECTION 17. Said section 10A of said chapter 118E, as so appearing, is hereby further
277 amended by adding the following 2 paragraphs:-

278 Coverage provided under this section shall not be subject to any deductible, coinsurance,
279 copayment or any other cost-sharing requirement. Coverage offered under this section shall not
280 impose unreasonable restrictions or delays in the coverage.

281 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
282 spouse and covered dependents.

283 SECTION 18. Chapter 147 of the General Laws is hereby amended by adding the
284 following section:-

285 Section 63. (a) As used in this section, the following words shall have the following
286 meanings unless the context clearly requires otherwise:

287 “Law enforcement agency of the commonwealth”, any state, municipal, college or
288 university police department, sheriff’s department, correctional facility, prosecutorial office,
289 court, probation office, or a program of more than 1 of any such entity, or any other non-federal
290 entity in the commonwealth charged with the enforcement of laws or the custody of detained
291 persons.

292 (b) Notwithstanding any general or special law to the contrary, and except as required by
293 federal law, no officer or employee of a law enforcement agency of the commonwealth, while
294 acting under color of law, shall provide information or assistance to a federal law enforcement
295 agency or any other state’s law enforcement agency or any private citizen or quasi-law
296 enforcement agent in relation to an investigation or inquiry into services constituting legally-
297 protected health care activity, as defined in section 11I½ of chapter 12, if such services would be
298 lawful as provided if they occurred entirely in the commonwealth.

299 SECTION 19. Section 47F of chapter 175 of the General Laws, as appearing in the 2020
300 Official Edition, is hereby amended by inserting after the word “of”, in line 20, the following
301 words:- abortion, as defined in section 12K of chapter 112, abortion-related care,.

302 SECTION 20. Said section 47F of said chapter 175, as so appearing, is hereby further
303 amended by inserting after the third paragraph the following 3 paragraphs:-

304 Coverage provided under this section for abortion or abortion-related care shall not be
305 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

306 Coverage offered under this section for abortion or abortion-related care shall not impose
307 unreasonable restrictions or delays in the coverage.

308 Benefits for an enrollee under this section shall be the same for the enrollee's covered
309 spouse and covered dependents.

310 A policy of accident and sickness insurance that is purchased by an employer that is a
311 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
312 section 47W, shall be exempt from covering abortion or abortion-related care at the request of
313 the employer. An employer that invokes the exemption under this section shall provide written
314 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
315 health care methods and services for which the employer will not provide coverage for religious
316 reasons.

317 SECTION 21. Section 193U of said chapter 175, as so appearing, is hereby amended by
318 inserting after the word "specialty", in line 14, the following words:- ; provided further, that no
319 medical malpractice insurer shall discriminate against a provider or adjust or otherwise calculate
320 a provider's risk classification or premium charges on the basis that: (i) the health care provider
321 offers or provides reproductive health care services or gender-affirming health care services, as
322 those terms are defined in section 111½ of chapter 12; (ii) the specific services offered or
323 provided in connection with reproductive health care services or gender-affirming health care
324 services are unlawful in another state; (iii) another state's laws create potential or actual liability
325 for those services; or (iv) litigation against a provider concerning reproductive health care
326 services or gender-affirming health care services resulted in a judgment against the provider, if
327 such health care services would be lawful and consistent with good medical practice as provided,
328 if they occurred entirely in the commonwealth.

329 SECTION 22. Section 8H of chapter 176A of the General Laws, as so appearing, is
330 hereby amended by inserting after the words “expense for”, in line 8, the following words:-
331 abortion, as defined in section 12K of chapter 112, abortion-related care,.

332 SECTION 23. Said section 8H of said chapter 176A, as so appearing, is hereby further
333 amended by striking out, in lines 9 and 10, the words “to the same extent that benefits are
334 provided for medical conditions not related to pregnancy”.

335 SECTION 24. Said section 8H of said chapter 176A, as so appearing, is hereby further
336 amended by inserting after the third paragraph the following 3 paragraphs:-

337 Coverage provided under this section for abortion or abortion-related care shall not be
338 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

339 Coverage offered under this section for abortion or abortion-related care shall not impose
340 unreasonable restrictions or delays in the coverage.

341 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
342 spouse and covered dependents.

343 A policy of accident and sickness insurance that is purchased by an employer that is a
344 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
345 section 8W of this chapter, shall be exempt from covering abortion or abortion-related care at the
346 request of the employer. An employer that invokes the exemption under this subsection shall
347 provide written notice to prospective enrollees prior to enrollment with the plan and such notice
348 shall list the health care methods and services for which the employer will not provide coverage
349 for religious reasons.

350 SECTION 25. Section 4H of chapter 176B of the General Laws, as so appearing, is
351 hereby amended by inserting after the words “expense for”, in lines 7 and 8, the following
352 words:- abortion, as defined in section 12K of chapter 112, abortion-related care,.

353 SECTION 26. Said section 4H of said chapter 176B, as so appearing, is hereby further
354 amended by striking out, in lines 8 to 10, inclusive, the words “to the same extent that benefits
355 are provided for medical conditions not related to pregnancy”.

356 SECTION 27. Said section 4H of said chapter 176B, as so appearing, is hereby further
357 amended by inserting after the third paragraph the following 3 paragraphs:-

358 Coverage provided under this section for abortion or abortion-related care shall not be
359 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

360 Coverage offered under this section for abortion or abortion-related care shall not impose
361 unreasonable restrictions or delays in the coverage.

362 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
363 spouse and covered dependents.

364 A policy of accident and sickness insurance that is purchased by an employer that is a
365 church or qualified church-controlled organization, as those terms are defined in subsection (j) of
366 section 4W, shall be exempt from covering abortion or abortion-related care at the request of the
367 employer. An employer that invokes the exemption under this subsection shall provide written
368 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
369 health care methods and services for which the employer will not provide coverage for religious
370 reasons.

371 SECTION 28. Section 4I of chapter 176G of the General Laws, as so appearing, is hereby
372 amended by inserting after the words “coverage for”, in lines 1 and 2, the following words:-
373 abortion, as defined in section 12K of chapter 112, abortion-related care,.

374 SECTION 29. Said section 4I of said chapter 176G, as so appearing, is hereby further
375 amended by inserting after the second paragraph the following 3 paragraphs:-

376 Coverage provided under this section for abortion or abortion-related care shall not be
377 subject to any deductible, coinsurance, copayment or any other cost-sharing requirement.

378 Coverage offered under this section for abortion or abortion-related care shall not impose
379 unreasonable restrictions or delays in the coverage.

380 Benefits for an enrollee under this section shall be the same for the enrollee’s covered
381 spouse and covered dependents.

382 A health maintenance contract that is purchased by an employer that is a church or
383 qualified church-controlled organization, as those terms are defined in subsection (j) of section
384 4O, shall be exempt from covering abortion or abortion-related care at the request of the
385 employer. An employer that invokes the exemption under this subsection shall provide written
386 notice to prospective enrollees prior to enrollment with the plan and such notice shall list the
387 health care methods and services for which the employer will not provide coverage for religious
388 reasons.

389 SECTION 30. Section 4A of chapter 218 of the General Laws, as so appearing, is hereby
390 amended by inserting after the word “filing”, in line 20, the following words:- ; provided further,
391 that, except as required by federal law, a judgment creditor shall not file a copy of any foreign
392 judgment under this section if the judgment was issued in connection with any litigation
393 concerning legally-protected health care activity, as defined in section 11I½ of chapter 12.

394 SECTION 31. Subsection (g) of said section 4A of said chapter 218, as so appearing, is
395 hereby amended by adding the following sentence:- In any action filed to enforce a judgment
396 issued in connection with any litigation concerning legally-protected health care activity, as
397 defined in section 11I½ of chapter 12, the court in the commonwealth hearing the action shall not
398 give any force or effect to any judgment issued without jurisdiction.

399 SECTION 32. Section 11 of chapter 223A of the General Laws, as so appearing, is
400 hereby amended by adding the following paragraph:-

401 Notwithstanding any other provision of this section to the contrary and except as required
402 by federal law, a court of this commonwealth shall not order a person who is domiciled or found
403 within this commonwealth to give testimony or statement or produce documents or other things
404 for use in connection with any proceeding in a tribunal outside the commonwealth concerning
405 legally-protected health care activity, as defined in section 11I½ of chapter 12.

406 SECTION 33. Section 59H of chapter 231 of the General Laws, as so appearing, is
407 hereby amended by inserting after the word “case”, in line 1, the following words:- , except a
408 case brought pursuant to section 11I½ of chapter 12,.

409 SECTION 34. Section 13A of chapter 233 of the General Laws, as so appearing, is
410 hereby amended by inserting after the word “summons”, in line 32, the following words:- ,
411 except that no justice or special justice shall issue a summons in a case, except as required by
412 federal law, where prosecution is pending concerning legally-protected health care activity, as
413 defined in section 11I½ of chapter 12, or where a grand jury investigation concerning legally-
414 protected health care activity has commenced or is about to commence for a criminal violation of
415 a law of such other state unless the acts forming the basis of the prosecution or investigation
416 would also constitute an offense if occurring entirely in the commonwealth.

417 SECTION 35. Section 21A of chapter 272 of the General Laws, as so appearing, is
418 hereby amended by striking out the fourth sentence and inserting in place thereof the following
419 sentence:- This section shall not be construed to permit the sale or dispensing of prescription
420 drugs or devices for the prevention of pregnancy or conception by a vending machine or similar
421 device.

422 SECTION 36. Section 13 of chapter 276 of the General Laws, as so appearing, is hereby
423 amended by striking out the first paragraph and inserting in place thereof the following 2
424 paragraphs:-

425 The governor may also surrender, on demand of the executive authority of any other
426 state, any person in the commonwealth charged in such other state in the manner provided in
427 section 14 with committing an act in this commonwealth, or in a third state, intentionally
428 resulting in a crime in the state whose executive authority is making the demand, hereafter in this
429 section and in sections 14 to 20P, inclusive, referred to as the demanding state, only when the
430 acts for which extradition is sought would be punishable by the laws of the commonwealth if the
431 consequences claimed to have resulted therefrom in the demanding state had taken effect in this
432 commonwealth and the provisions of sections 11 to 20R, inclusive, not otherwise inconsistent
433 shall apply to such cases even though the accused was not in the demanding state at the time of
434 the commission of the crime and has not fled therefrom; provided, however, that the governor
435 may, in the governor's discretion, make any such surrender conditional upon agreement by the
436 executive authority of the demanding state that the person so surrendered will be held to answer
437 no criminal charges of any nature except those set forth in the requisition upon which such
438 person is so surrendered, at least until such person has been given reasonable opportunity to

439 return to the commonwealth after the person's acquittal, if the person shall be acquitted, or after
440 the person shall be released from confinement, if the person shall be convicted.

441 Except as required by federal law, the governor shall not surrender a person charged in
442 another state as a result of engaging in legally-protected health care activity, as defined in section
443 11I½ of chapter 12, unless the executive authority of the demanding state shall allege in writing
444 that the accused was physically present in the demanding state at the time of the commission of
445 the alleged offense and that thereafter the accused fled from the demanding state.

446 SECTION 37. Section 14 of said chapter 276, as so appearing, is hereby amended by
447 inserting the after word "state", in line 7, the following words:- only when the acts for which the
448 demand for interstate rendition is sought would be punishable by the laws of the commonwealth,
449 if the consequences claimed to have resulted therefrom in the demanding state had taken effect in
450 this commonwealth.

451 SECTION 38. Section 20A of said chapter 276, as so appearing, is hereby amended by
452 inserting after the word "thirteen", in lines 5 and 12 and 13, the following words:- , with the
453 exception of cases for which the governor shall not surrender a person under said section 13.

454 SECTION 39. Section 20B of said chapter 276, as so appearing, is hereby amended by
455 adding the following sentence:- This section shall not apply to cases arising under section 13 for
456 which the governor shall not surrender a person.

457 SECTION 40. Section 20C of said chapter 276, as so appearing, is hereby amended by
458 inserting after the word "thirteen", in line 4, the following words:- , with the exception of cases
459 for which the governor shall not surrender a person under said section 13.

460 SECTION 41. Sections 5, 6, 16, 17, 19, 20, 22 to 29, inclusive, shall apply to all policies,
461 contracts and certificates of health insurance subject to chapters 32A, 118E, 175, 176A, 176B

462 and 176G of the General Laws that are delivered, issued or renewed 6 months from the effective
463 date of this act.

464 SECTION 42. (a) Regulations required pursuant to section 12N of chapter 112 of the
465 General Laws, as inserted by section 11, shall not delay the implementation of said section 12N
466 of said chapter 112, including any changes in section 10.

467 (b) The department of public health shall promulgate regulations required pursuant to
468 section 12N of chapter 112 of the General Laws, as inserted by section 11, not later than January
469 1, 2023.

470 SECTION 43. The department of public health shall provide provisional guidance on
471 section 12N of chapter 112 of the General Laws within 30 days of the effective date of this act.